

## **EXHIBIT B**

**TO THE DECLARATION OF JONATHAN M. WAGNER**

**Denise Andrews**

---

**From:** Wagner, Jonathan M. [jwagner@KRAMERLEVIN.com]  
**Sent:** Monday, June 06, 2005 6:24 PM  
**To:** Lipsitz, Randy; Simon, Norman  
**Subject:** FW: Mobius / Acartus

-----Original Message-----

From: Anton Hopen [mailto:[anton.hopen@smithhopen.com](mailto:anton.hopen@smithhopen.com)]  
Sent: Monday, June 06, 2005 6:04 PM  
To: Wagner, Jonathan M.  
Subject: Re: Mobius / Acartus

Understood. Thanks.

-----Original Message-----

From: Wagner, Jonathan M. <jwagner@KRAMERLEVIN.com>  
To: Anton Hopen <anton.hopen@smithhopen.com>  
Sent: Mon Jun 06 17:55:34 2005  
Subject: RE: Mobius / Acartus

We will get back to you. Please refrain from re-posting until we do so.

-----Original Message-----

From: Anton Hopen [mailto:[anton.hopen@smithhopen.com](mailto:anton.hopen@smithhopen.com)]  
Sent: Monday, June 06, 2005 5:31 PM  
To: Wagner, Jonathan M.  
Cc: Staff  
Subject: Mobius / Acartus  
Importance: High

Dear Jonathan:

As we discussed, please find attached a PDF document of the revised Acartus product sheet. These modifications more clearly define the relationship (or lack thereof) of our respective clients.

We look forward to your comments.

Best regards,

<<Mobius\_Replacement\_Strategy\_updated 2005-06-06\_v2 pdf>>

Anton

Anton J. Hopen  
Smith & Hopen, PA  
U.S. Registered Patent Attorneys  
15950 Bay Vista Drive, Suite 220  
Clearwater, Florida 33760 USA  
(727) 507-8558 (Clearwater, Florida) \*  
(813) 600-2983 (Tampa, Florida)  
(408) 884-3993 (San Jose, California)  
(727) 507-8668 fax  
www.smithhopen.com  
[anton.hopen@smithhopen.com](mailto:anton.hopen@smithhopen.com) <<mailto:anton.hopen@smithhopen.com?subject=Message%20to%20Anton%20Hopen>>

<<Anton Hopen vcf>>

NOTICE: This email may be privileged and confidential and intended only for those named to receive it. If you are not one of them, then any use, dissemination, distribution, reading, forwarding, printing, or copying of this is strictly prohibited, and you are requested to notify us immediately by calling or faxing us at the number above or emailing us at the address above. Thank you.

Jonathan M. Wagner

Partner  
Kramer Levin Naftalis & Frankel LLP  
PLEASE NOTE NEW ADDRESS  
1177 Avenue of the Americas  
New York, New York 10036  
Tel: 212-715-9393  
Fax: 212-715-8393  
Email: [jwagner@KRAMERLEVIN.com](mailto:jwagner@KRAMERLEVIN.com)  
<http://www.kramerlevin.com> <<http://www.kramerlevin.com/>>

Disclaimer - 6/6/2005

---

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.